

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

JORGE LUIS ORTIZ-LOPEZ,

Defendants.

4:13CR3130

DETENTION ORDER

After conducting a detention hearing and a hearing on defendant's motion for release under the Bail Reform Act, 18 U.S.C. § 3142(f), the court denies the defendant's motion for release, (Filing No. 64), and concludes the defendant must be detained pending trial.

There is a rebuttable presumption that no condition or combination of conditions of release will reasonably assure the defendant's appearance at court proceedings and the safety of the community because there is probable cause to believe the defendant committed a drug crime under the Controlled Substances Act (21 U.S.C. § 801 et seq.), for which the defendant could be required to serve ten or more years in prison. The defendant has not rebutted this presumption.

Specifically, the court finds there is substantial evidence to support the allegations within the indictment; the evidence indicates the defendant has several contacts outside Nebraska and a strong incentive to leave this state; the defendant has limited employment contacts within Nebraska; he has failed to appear for court proceedings in the past; based on the manner and content of her testimony, the court is not convinced defendant's proposed third party custodian (his wife) will contact the court or pretrial services if the defendant violates the terms of his pretrial release, and no conditions or combination of conditions are currently available which will sufficiently ameliorate the risks posed if the defendant is released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

December 20, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge